

Section III: REMARKS

It is respectfully requested that the changes as noted above in Section I and Section II be made to the present application.

By this amendment, the "Related Applications" paragraph has been updated to include the most current information available.

In the above referenced Office Action, a copy of the Information Disclosure Statement mailed on 2/26/01 was requested and is enclosed herewith along with a copy of the post card receipt dated 3/1/01.

Claims 1-17 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-25 of co-pending Application Number 09/731,649. A Terminal Disclaimer is enclosed herewith to obviate the noted rejection.

Independent claims 1, 9 and 17 have herein been amended to include user enabled report customization feature as disclosed in the present application in conjunction with the approval/disapproval enablement. The user enabled report customization feature is also included in the remaining claims which depend from one of the currently amended independent claims. Other dependent claims have been amended for consistency with the amended language of the related independent claim. The added language is submitted to clearly distinguish the present invention over the cited references. With the present amendment, the present application including claims 1-17 is submitted to be in condition for allowance.

More specifically, claims 1-2, 4, 9-10, 12 and 17 were rejected

under 35 USC 102(e) as being anticipated by Cross (U.S. Patent 6,144,726), and claims 3, 5-8, 11 and 13-16 were rejected under 35 USC 103(a) as being unpatentable over Cross in view of Bartoli et al (U.S. Patent 6,047,268). The above noted rejections are respectfully traversed. However, in order to further the prosecution of the present application, and without waiving any of applicant's rights to argue the allowability of the originally presented claims in a subsequent appeal or other proceeding in the event that the Examiner does not concur that the present amendment places the application in condition for allowance, applicant has herein amended the claims as noted, either directly or through dependence, to further clarify the recitation of the present invention and to even more clearly distinguish the present invention over the cited references, thereby obviating the noted rejections.

More specifically, it is noted that the present application discloses a system and methodology for enabling user approval or disapproval of charges to be made against a user's account. As disclosed, a user is enabled to provide the user's preferences with regard to certain characteristics of a charge account report or statement. A periodic report or statement is then assembled in accordance with the user's preferences and the user is then enabled to approve or disapprove reported charges to the user's account and communicate the approval/disapproval information to an account server for further processing.

The Cross reference discloses a system in which charges are verified by comparing charges made to a database of standard charges and/or rates to determine if any of the current charges are out of line with the stored database information. A dispute report is then automatically generated if any of the charges are out of line. Cross does not enable user input to approve or disapprove charges on an item-by-item basis. Further, Cross does

not show or even suggest any means by which a user is enabled to design certain characteristics of the charge statement or report to facilitate the user's review of the charges.

Bartoli discloses a method and apparatus for billing for transactions conducted over the Internet but does not disclose or even suggest a means by which the user is enabled to define certain characteristics of a report or statement (such as frequency of the report and/or minimums or maximums) to the user showing charges made for user approval or disapproval.

As noted above, the present application includes claims 1-17 of which claims 1, 9 and 17 are independent and the remaining claims are dependent from one of the independent claims. With the present amendment, all of the independent claims 1, 9 and 17 have herein been amended to include the user report design enablement feature which clearly distinguished the present invention from the cited references. The report design feature is also included in the remaining claims through dependence from one of the independent claims. As noted above, neither Cross nor Bartoli disclose, teach or even suggest enabling a user to provide input to customize a charge report in accordance with user-selected preferences. Thus, it is submitted that claims 1-17 as herein amended are clearly allowable under 35 USC 102 and 35 USC 103 over Cross and/or Bartoli, taken individually or in combination.

Other changes made to the claims as herein presented are made for clarification only to be consistent with the amended independent claims.

The similarity of various pieces and parts of the references as noted on pages 2-5 of the above Office Action has been noted but it is believed that there is no disclosure or motivation within any of the references, or nexus among the references, to even

suggest the total combination of elements and relationships as recited in the claims as herein amended. It is submitted that all inventions can be broken down into incremental individual parts and each incremental individual part can generally be found in published references. However, where there is no teaching or suggestion in any of the references for the specific total combination of elements and relationships among those elements, as claimed by an applicant, it is submitted to be inappropriate to search the prior art using applicant's own disclosure as a recipe, to find piecemeal prior art references for individual components, and then to combine those references in a manner disclosed only by the applicant in order to reject applicant's own claims.

Thus, it is submitted that claims 1-17, as herein presented, are believed to be in condition for allowance, an early notice of which is hereby requested. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting the allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below. The Examiner's attention to this matter is greatly appreciated.

Respectfully submitted,



Robert V. Wilder (Tel: 512-246-8555)
Registration No. 26,352
Attorney for Applicants
4235 Kingsburg Drive
Round Rock, Texas 78681